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ABSTRACT

Over the last decade, research and teaching activities have increasingly undergone review by Institutional Review Boards (IRBs). This paper presents seven case reports of research that has been regulated by IRBs, including examples from the contexts of funded projects, student research in dissertations, and qualitative methods research courses. These seven cases illustrate some of the difficulties teachers, researchers, and scholars are having with their IRBs. There seems to be a growing concern with research done within the context of the researcher, and there are increasing examples of difficulties in gaining approval for research with children. A third difficulty is the problem of action research and other forms of community-engaged research, which IRBs seem to have difficulty understanding. Another concern is the reasonable and realistic assessment of risks and benefits. A final concern is that some IRBs are more concerned with protecting the institution than in facilitating research. Implications for qualitative researchers of these trends are outlined. (Contains 15 references.) (SLD)

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"What we have here is a failure to communicate...": Qualitative Research and Institutional Review Boards (IRBs)

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Context

Any university-based educational researcher who has done research with human subjects/participants has come under the "Human Subjects Protection" process managed by campus institutional review boards (IRBs). Interviewing, observations, surveys and other forms of data collection which do not utilize already-collected data are subject to review and approval by institutionally-created boards. These boards assure compliance with Federal laws on the protection of human subjects from harm; ensure the right to informed consent to research procedures; and prevent violations of confidentiality and/or anonymity, violations of rights to privacy, and deception. Over the course of the 90s, two issues arose which brought increased scrutiny and sensitivity to the process: concerns regarding privacy (especially of medical and social science data), and violations of appropriate informed consent procedures which apprise subjects fully of the risks involved of participating in research (particularly medical research, as a result of several highly publicized incidents of fatalities).

A Sense of the Problem

As a result of these concerns, and others, IRBs have now been granted a mandate to oversee research processes more broadly, including the training of graduate students in qualitative research skills (e.g., interviewing, observation), and classroom-based exercises in such skill-building. This situation is far less flexible than in the past, when graduate faculty could submit syllabi when and if they were changed, but otherwise, operated under more or less "blanket" approval for graduate-level training so long as the IRB was apprised of their intent to act as principal investigators for all class members. Thus, approval for conducting such exercises as part of a course requirement and course grade might be granted for a decade at a time.

Heightened concerns regarding human subjects have changed all that. At the same time, pressure from the political right has intensified to discredit the products of postmodern theorizing, including constructivist theories of knowledge, postmodern epistemologies, Foucauldian analyses, poststructural investigations, and other kinds of research associated frequently or always with qualitative research (Bauerlein, 2001; Koertge, 1994; Feagin, 1999; Lincoln and Cannella, 2002). Between criticisms from detractors of certain theoretical approaches, and a heightened sense of legal issues around medical protection (see, for instance, the recent halt of all federally financed medical studies at Johns Hopkins as a result of the death of a woman participating in medical research), the stances of IRBs have shifted from assuring that human subjects' right were protected toward monitoring, censuring and outright disapproval of projects which utilize qualitative research, phenomenological approaches, and other alternative frameworks for knowing and knowledge. Some institutional review boards are quite clear and aboveboard that their main concern is protection of the institution from damage. This is a fundamental shift from the

original purpose of ascertaining risk to human and animal subjects, and assuring that informed consent was adequate to prepare human subjects for associated risks. The AAUP's "Protecting human beings: Institutional review boards and social science research" Report (Academe, 2001) echoes some of these same issues. Three contexts in which this trend has been especially noticeable have emerged: externally-funded projects, student dissertation research, and qualitative research methods courses taught for graduate students.

Data

Over the last decade, three forms of research and teaching activities have gone through IRB approval and disapproval. As IRBs increase their regulatory functions, the number of "stories" of researcher experiences is increasing; as the stories increase, the sense of frustration, anxiety and anger appears to increase correspondingly. By way of informal and formal processes, the data exhibit high correspondence with testimony provided by social scientists, and reviewed by the AAUP prior to preparing its report (Academe, 2001). Data were drawn from author experiences, and from reports, letters, and interviews with other researchers at Research Extensive universities.

The first context: funded projects. In contradistinction to the policies of even a decade ago, when funded social science or educational research projects were assumed to have already proceeded through several levels of review, and so presented little, if any, risk to research participants, scholars around the country are having some difficulty, with repeated efforts, getting already-funded qualitative studies approved and through the IRB review process. But as the AAUP points out, "This is not to suggest that risk-benefit analysis is inapplicable to social science research, but rather to emphasize a simple proposition: that different kinds of risks and benefits are associated with different kinds of research" (2001, p. 61). In light of campus concerns regarding the importance of externally-funded research and development projects, this stance alone would seem strange. In light of concerns regarding the IRBs and academic freedom, of the somewhat ambiguous powers granted to these boards, and because of recent attacks on qualitative research, it is somewhat less bewildering.

The second context: student research in dissertations. Traditionally, unless research procedures seemed to indicate close supervision to assure the protection of research participants, student dissertations were frequently remanded to the "Exempt" category—that is, highly unlikely to require more than cursory review, and unlikely to cause any damage or psychological harm to individual human subjects (even as they are equally unlikely to go any good)—and given review by a subcommittee, rather than the full IRB committee. This process was swift, expeditious, and thorough, even though completed by fewer IRB committee members. At this point in time, reviews are taking far longer than the usual six weeks; dissertation work which is qualitative in undergoing full-committee review; and at some institutions, qualitative,

phenomenological, critical theorist, feminist, action research and participatory action research projects have been summarily rejected as "unscientific", "ungeneralizable", and/or inadequately theorized (even though they may be descriptive, historical or exploratory projects, and therefore, unable to be theorized at the moment). A variety of strategies have been devised by researchers to overcome persistent rejection by IRBs, including several which actually undermine the work, but which have the effect of permitting graduate students to complete their doctorates (Confidential, personal communication, February, 2001; Academe, 2001, p. 64).

The third context: qualitative research methods courses taught for graduate students. While it is time-consuming to submit IRB proposals for each course taught, it has not been an issue until recently, when full IRB committee approval began to be required (rather than having the proposal go through "Exempt Status" approval procedures). Now, frequently more than three months is required to hear back from the IRB. And for the first author of this paper, an advanced fieldwork methods course was approved, gotten underway, and at the midpoint of the semester, the IRB decided that the course syllabus should be re-reviewed, and the entire course was subsequently disapproved, with a warning letter that the course must stop as of March 7! Only the intervention of a dean, and a reminder that the University had moral, fiscal and ethical, as well as contractual, responsibilities to students who had signed up for the course, kept the course from becoming an intellectual "lock-out".

The issues—reasons frequently cited as bases for rejection--seem to be non-quantitative or experimental research methods (i.e., qualitative methods), new paradigms for inquiry (e.g., phenomenological, feminist, postmodern, Foucauldian, and/or constructivist), and lack of fit with traditional rigor criteria (e.g., generalizability, replicability, objectivity). Such reasons exhibit, at least on their face, either an unfamiliarity with non-quantitative methods for data collection and with postmodern and critical epistemologies, or resistance to non-traditional, non-"scientific model" research methods and models. Or there is, perhaps, something far more ominous: a backlash against qualitative research in all its non-rationalistic or postmodern forms (Lincoln and Cannella, 2002).

Significance of the Problem

The issue is critical. There are at least five grounds on which to be concerned. First, such widespread rejection of alternative research forms and ways of knowing suggest that qualitative research will be heard less in the policy forums in Washington and around the country in state legislatures. Second, the situation suggests that qualitative researchers are having to confront the control of "important discourse and decisions" by traditional elites, rather than taking part in "open[ing] up that dialogue and decision making to the larger population" (Feagin, 1999). Indeed, among the AAUP's committee's conclusions was that some IRBs "too often mistakenly apply standards of clinical and biomedical research to social science research, to the detriment of the latter" (Op.cit., pp. 55-6). Third, it suggests that new, young researchers, trained in alternative epistemologies and research methods, will find their

inquiries rejected before they even begin careers in educational research. Fourth, it is clear, from government documents relating to the IRB and review process (Ethical and Policy Issues in Research Involving Human Participants, Vols. I, II, III, & Summary, 2001) that the working definition of research has not changed in over a quarter of a century, despite wide debate and a plethora of new scholarship which suggests that conventional definitions are far too narrow and unnecessarily limit the inquiries of serious scholars. And finally, this resistance and rejection suggests that traditional researchers have already understood the power and compelling quality of qualitative data, and have rejected its strong, "data-near" claims to validity in favor of a more distanced social and educational research, where "social scientists...have lost touch with the moral and practical concerns from which...[the] field emanated" (Feagin, 1999).

If this experience is even more widespread than the AAUP and the authors have found it to be (a number of Research Extensive universities), the implications for both educational researchers and A.E.R.A. (as well as funding agencies) are a coming crisis. Failure to obtain permission to conduct qualitative studies, or mandates that such studies be conducted in positivist fashion, will greatly undermine educational researchers' ability to uncover hidden aspects of social arrangements which contribute to unequal schooling, lower persistence rates of minority college students, or other less transparent educational processes. Dialogue seems critical; at the same time, intense dialogue on some campuses has proven less than useful. But a clear understanding of the problem and the variety of contexts in which it operates is a strong beginning for coping with rejection of alternative models of research. Some flavor for the kinds of problems will be evident in the following descriptions of actual cases (names and institutions have been changed in order to protect students, researchers and institutions; the cases are written in the first-person voice of the scholar providing me with the write-up):

Case #1: Deanna Holcomb

This is the case that provided me with the opportunity to speak my concerns to the IRB. Deanna, Principal of [an] Elementary School in [a nearby "bedroom community" to a large urban area], was doing a fairly innocuous study of her own school to obtain the perceptions of teachers, students, and parents regarding the first year of operation of a 4th grade teaming program. The purpose was the traditional one of a program evaluation: to observe how various stakeholders responded to an innovation and to use that input to make decisions regarding its continuation, abandonment, or modification. The data collection phase of the study was designed to cover a spring semester and the following school year.

For nearly a full year the IRB and Deanna interacted on her study. The pattern was that they would require that she make additional changes, she would make the changes, and then they would request additional ones. As the end of the first spring semester, Deanna wanted to obtain some perceptions of parents

before the study began. Since this part of the study was not being questioned by the IRB, she and I decided that, as part of her regular program evaluation activities, she could go ahead and get this information. The IRB got word of this and notified her that she shouldn't have done this without their approval and that she could not use the data collected in her record of study. (Her advisory committee agreed that this would not destroy her study; but it had a chilling effect on her.)

Finally, after all this tinkering with the proposal and IRB form, [the chairman] of the IRB invited me to make a presentation to that group. It was clear by that point (it hadn't been before) that what really bothered the IRB was the fact that she was doing the study in her own school. I made a presentation explaining why this type of research was so important for principals to do in their own schools and provided examples how this same type of research was being done in a number of prestigious universities.

But they didn't budge. What bothered them most at this point was the fact that the responses to the open-ended questions were being turned into Deanna's secretary, who then separated them from names and other identifying marks before she turned the data over to Deanna. (This arrangement had been made in response to earlier concerns about confidentiality.) Their reasoning was that the boss-secretary relationship was so close as to make confidentiality impossible. As a result, Deanna proposed that they be sent to an administrator at the district office who would do the same service for her. (This administrator was a close friend of Deanna's -- who else would do it?) This arrangement was satisfactory to the IRB, and Deanna proceeded with her study. She graduated in December 2000.

Perhaps the most interesting note from the entire experience was a piece of my exchange with the IRB. The IRB members agreed that principals need to perform action research in their own schools, but that it was quite another thing for them to do it with the blessing of [this state university], as implied by the Record of Study or Dissertation. At this point, I thought I saw a fallacy in their argument, and I gleefully pressed my point: "In other words, since it's okay (and commendable) for a principal to do research in her own school, what you're saying is that you're not really worried about human subjects per se, but rather about the potential impact on [this university]." My elation quickly evaporated when, without the least bit of hesitation or shame, they agreed with me.

Case #2: Roberta Goodwin

This case represents advisor learning; the [Deanna Holcomb] case was not entirely in vain. When Roberta and I talked about her doctoral study, her school had just received a High-Schools-That-Work grant. In order to provide

an ongoing evaluation, I proposed that she use her leadership team for the project as a "research team" to provide useful information about the direction for the project and to facilitate their decisions in coordinating the project. When Roberta got ready to write her proposal, her study was simply one of accessing this existing data base and, after augmenting with other archival data from the school, analyzing it and writing a splendid record of study.

Case #3: Colleen McCormick

This case is of interest, partially because it dealt with the most sensitive human relations of all the cases, but also because it underlines the IRB's bottom line: protect the university. Colleen's study sought to explore how direct feedback to teachers on their performance in the classroom by sixth grade students might be used for professional development. All the teachers were volunteers, and the entire process was guided by Colleen, who was an assistant principal in the school, though not the evaluating supervisor of any of the teachers in the study. Oxford County School district (traditionally a very conservative institution regarding risk in research) recognized the great potential benefit of the study and, after carefully reviewing it, gave the study its approval. However, it took several months and repeated modifications and guarantees before the IRB reluctantly approved the proposal. Colleen nearly abandoned the project in favor of a safe and sterile study. Fortunately she persisted and produced an exemplary study.

Case #4: Charles Jacobsen

Charles Jacobsen sought permission to conduct a fairly innocuous study that called for interviews with principals and African-American teachers to describe the extent to which their leadership talents were put to use in their schools. However, he got caught in a series of minor changes in his proposal that were required by the IRB. He would dutifully make these-- only to have that body identify the need for new changes. Finally, after he had made all the changes the IRB requested, that body changed their forms without notifying him, and the approval of his proposal was set back another month. Charle's patience and persistence in the whole process were exemplary. His proposal was finally approved, and he is now working on his study.

Case #5: Laurie Thompson

Laurie Thompson is an assistant professor in the educational psychology department, nearing the time when she must go up for promotion and tenure. After having received several small grants, on which the work was done in a timely and exemplary fashion, she received a rather large grant (well over $200K) to perform a large research study on her area of interest: children and technology. She has received IRB approval from three school districts in the areas surrounding our university for her study, which seeks to understand how students interact with technology, explore its uses for school projects, and their own sense of self-efficacy when mastering various aspects of Web-surfing, research, and communication. The IRB has sent her proposal back no fewer than seven times, asking for increasing clarification on precisely what questions she will ask the 4th, 6th, and 7th graders, and whether or not she will "vary" from those questions. Furthermore, the IRB has asked her to explain how, with such a small sample (they had in mind, they said, around 500 school districts) she would be able to "generalize" from a mere 50 children. They have asked, in effect, that she "swear" that she will not probe for amplification, clarifications, extensions or other additional comments on the children's responses. As of this writing, Laurie has had the contract for over 15 months, and has not been able to observe or interview a single child. It seems likely that Laurie will receive no further grants or contracts since she seems unable to proceed with this one.

Case #6: Dianne Flowers

Dianne Flowers is the only student in this collection of case studies who was actually prevented from doing the study she envisioned. Ms. Flowers works in an alternative secondary school and has extremely good rapport with the students in that setting. She wanted to tell the Alternative School story from the students' viewpoint, including extended case studies of several prototypical students. However, after many roadblocks, she agreed to simply collect written information anonymously from the students, and, together with teacher interviews and a review of student records, she will attempt to write "their" story. The study is considerably weaker than originally envisioned; but given the difficulty of convincing the IRB, I supported her making this compromise.

Case Study #7: First author

I was teaching an Advanced Fieldwork Methods class, 2nd semester (spring), having received IRB approval for students to engage in various fieldwork exercises under my supervision. On March 15, I received a letter from the IRB, dated March 7, which stated that approval had been withdrawn, and that I was to immediately cease teaching the course (some 8 weeks into the course, or fully half a semester). When I called to inquire regarding why the course, having been approved, was now disapproved, I was given two reasons: the form I had used was not "current" this semester, and I must reorganize the information, and second, there was a possibility that students might be engaging in research with "protected" populations (e.g., students, prisoners, medical patients, etc.). I pointed out that I had drawn the IRB forms off the university's IRB website, and was informed that the form had changed in the last month,

and that I was to re-submit the form. I then pointed out that the syllabus specifically forbid any research to be undertaken with protected populations, in writing. The chair of the IRB Committee, however, was adamant: I must cease teaching this course immediately.

I then took the problem to the Dean, who presumably went up the chain of command, but ended up informing the IRB Chairman that I had received approval for the course, had filled out the appropriate forms more than 12 weeks in advance of the start of the course, and that the University had a contractual agreement with students to continue courses in which students were enrolled, unless there was some compelling reason to terminate a course. There was much other conversation regarding this course, but the upshot was that I was permitted to complete the course with the students.

It was an example, I believe, of the peremptory quality of some IRB processes—to first approve, and then pull approval in the midst of an ongoing doctoral seminar in qualitative research.

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These cases illustrate, I believe, some of the difficulties which teachers, researchers and scholars are currently having with their own IRBs. In the case of the students, there appears to be a growing—and inappropriate, from our perspective—concern with research in one's own context. This is especially surprising considering the extensive literature which commends ongoing research as a mark of the "reflective practitioners", in order to improve schooling practices, and in light of the developing methodologies for having teachers and principals engage in systematic and disciplined inquiry around their own professional practices.

Another difficulty which seems to be appearing in some of the cases is the reluctance of IRBs to approve research with children, in some cases, despite school board approval and encouragement of such research. We have, however, little hope of understanding what schooling and learning mean to children, or how children view learning processes, or what processes keep children as learners engaged, unless we can do careful and thoughtful research with and among children, in the learning context.

Yet a third difficulty is the problem of action research, participatory action research, cooperative inquiry, and other forms of community-engaged research. IRBs appear to be having considerable difficulty with either understanding, or with supporting, such research, even though action research models (whatever their particular emphasis) show great promise of involving stakeholders at the research site in meaningful dialogue around their own, indigenous, contextually-determined needs.

A fourth arena of concern appears to be the reasonable and realistic assessment of potential benefits versus potential risks. Clearly, in the studies

above, we have some concern with the "regulatory" aspects of research risk assessment (Pritchard, in press), and very little concern for the potential benefits of the research enterprise. The National Bioethics Advisory Commission's report (2001, Summary) very clearly states that

> Even within areas of research that need oversight, many individual studies will involve little or no risk to participants. Although current federal policies allow for some distinction between research involving minimal risk and research involving more than minimal risk, the distinction operates mostly in terms of how the research will be reviewed—that is, how procedures are to be followed. But the distinction *should be based on how the research is pursued, how the participants are treated, and how the work is monitored over time.* (Ethical and policy issues involving human participants: Summary, 2001, p. 8, italics added)

In all but one of the cases cited above, the level of monitoring is extremely high (including oversight by both dissertation committees, and school district IRBs, and or graduate faculty), and the participants are given multiple levels of protection although they are simply providing information and data which they would be required to provide in the normal course of their professional duties. Additionally, the question of how the participants are treated seems to be virtually non-existent, since in several of the cases, the participants are engaged in the data collection effort as a part of their ongoing professional experiences. The question which then remains problematic is how the research is pursued. In all instances, it is qualitative, and some variety of ethnographic, action, or participatory research.

The fifth area of concern appears to be that at least some IRBs are, by the admissions of their own members, more concerned with protecting the institution in which they work than in facilitating research, or assuring human subjects protection. In no instance in the above cases was there any significant risk to the individuals involved as participants. In all the instances in which public school sites were involved, the research itself had already received prior approval by the districts' own institutional review boards, which presumably means that the school districts at least share equally some of the monitoring and supervisory responsibility for assuring protection, privacy and confidentiality with the companion universities. The concern with protection of the sponsoring university is certainly serious; but in no way should a concern for the institution's reputation or risk be the first concern of the IRB. Rather, IRBs are, by legislative intent, constituted to assure the protections first and foremost of human subjects. It is by doing the latter that the former purpose is served, not the reverse.

Work Which Needs To Be Done

Clearly, there is work which needs to be done. The recent hearings conducted by the National Bioethics Advisory Commission and the National Science

Foundation (Academe, 2001) have gone far toward shedding some light on the set of problems which exist, particularly for social scientists (and, concomitantly, educational researchers) who may be doing research which involves minimal, if any, risk to human research particicpants. The Academe report, in particular, stresses the question of "level of risk" (2001), as do sections of the National Bioethics Advisory Commission report (August, 2001; see particularly Vol. 1, pp. 74-80, and Summary, p. 8). Level of risk is one of two critical issues (the other is the definition of research, which we shall take up in a moment) which need further exploration and new guidelines. Dialogue might increase the possibility of enlarging the view of IRBs on criteria for approval and oversight.

Level of Risk and Potential Direct Benefits. Weijer (1999, 2001) proposed a framework for the analyses of risks versus potential benefits which we believe should be utilized more widely, and explored more vigorously on campuses. His analyses focus on what he terms "component analysis", or separate analyses of which parts of the research offer the possibility of "direct benefit to research participants", while other parts of the analysis of level of risk would examine elements of the proposal which have "the sole intent of answering the research question(s)" (Ethical and policy issues in research involving human participants, Vol. 1, p. 76). The ethical intent is to question which research procedures offer "direct benefit" to research subjects (or their communities), and which offer only to answer the research questions. The Ethical and policy issues... document defines this component-based approach as one which "...requires IRBs to sort research study procedures into these two types of components to determine their ethical acceptability. The first type consists of those components containing particular procedures that may offer the prospect of direct benefit to participants. The second type includes procedures that do not....their sole intent is to answer the research question(s)" (2001, p. 76).

The recommendation of the National Bioethics Advisory Commission is quite straightforward:

> To the extent possible, IRBs should independently weigh the risks and potential benefits of each type of procedure. The risks associated with individual procedures offering the prospect of direct benefits are justified in relation to their potential to benefit the participant in addition to their potential to generate knowledge, and those procedures designed solely to answer the research question(s) are justified in relation to their potential to generate knowledge. (Ibid., p. 77).

In layman's terms, two assessments of risk and benefit must occur: that of the possibility of direct benefit, and that of the potential of a given study to answer the research question(s). The assessment of risk lies in weighing the possibility of a given benefit to participants against the ability to generate knowledge, and weighing the potential of the study to generate knowledge, per se.

The ethical parsing represented by component analysis forces judges of a given piece of research (in this case, IRBs) to look not only at the possibility of a given study for generating knowledge, but also to look at that possibility alongside and in tandem with the potential for direct benefits. This is critical, I believe, in at least six of the seven case studies reported on earlier. In the first six case studies, strong potential exists for direct and indirect benefits to participants (and to subsequent students and staff like them), while there is little attendant risk to participants. In four of the six instances, participants would be engaging in the same activities with or without the researcher's interest in completing a dissertation; the dissertation merely makes the interaction with the IRB necessary, while at the same time, permits wider dissemination of the results of the study to other professionals who might benefit from its insights and from the knowledge produced. Thus, on criteria proposed by the National Bioethics Advisory Commission itself, the ongoing disapproval of the cases does not serve either ethical criteria or protective criteria. Rather, disapproval (or endless requests for changes, alterations, etc. in the research design) signals what one IRB group frankly admitted to one dissertation advisor: the interests of the institution (whatever they are) are more important than the interests of fostering sound research—even when the research is deemed important to the IRB itself.

Definition of Research. Another problem which appears to be emerging is in the definition of research now widely adopted by many IRBs. The Belmont Report (1979) and its definition have served as the basis for the current definition in use throughout the clinical and social sciences. The current proposed definition (following Belmont closely) is the "regulatory definition of research in 45 CFR 46.102 [which is]: 'Research means a systematic investigation, including research development, testing and evaluation, design to develop or contribute to generalizable knowledge'" (Ethical and policy issues, Vol. 1, p. 36). The National Bioethics Advisory Commission itself, however, identifies several problems with this definition, two of which are critical for the cases described above. The first is that the definition does not "include the important distinguishing concept of who benefits from the activity" and problems with the "use of the term generalizable" (Ibid., p. 35-6, emphasis in the original). The long-term implications of this definition include the likelihood that many, if not most or all, IRBs are unlikely to consider potential direct (or indirect) benefits as weighty ethical issues when considering approval of research projects, and the likelihood that generalizability—long a criterion of conventional scientific research—will continue to be a point of contention for studies where generalizability is neither sought nor desired.

Thus, studies in schools, where the long-term goal of the study is to understand better best practices, or the meaning-making activities of those engaged in schooling, or the experiences of children in schooling, are likely to fail to win approval on both important criteria: potential direct benefit and generalizability.

More important, however, is the issue of what kinds of research will be permitted, given that generalizability is a definitional and standard criterion for

"research". It is here that qualitative research, in particular, in all its forms, appears to be losing the battle for IRB approval and sanction. Most, if not all, qualitative research, but particularly that which is phenomenological in orientation, constructivist in focus, or located within the "action" traditions (e.g., action research, participatory action research, cooperative inquiry, and the like) never has as its focus the criterion of generalizability. In fact, most of the models of inquiry listed above specifically eschew generalizability as inimical to other overriding philosophical tenets that make generalizability impossible to achieve (or a useless phantom to be chased). [1] This is likely why the chairman of one Institutional Review Board can report that he thinks such research is important, but that it should not be done under the aegis of his university.

So long as the regulations state that generalizability is a part of the definition of research, qualitative research studies will continue to suffer inordinate review and sometimes inappropriate revision, if not outright rejection. Further, so long as potential direct benefits are not taken into account, studies in a researcher's own context are likely to fail the approval process, even when such studies are the only means by which professional practice in education is likely to see improvement or revision. Thus, what is coming to be understood more widely in the social science community as inquiry philosophies which lead to deeper understandings of the lived experience is being systematically rejected, or subject to inordinate and onerous review processes which undermine timeliness. Level of risk implies vastly different meanings between biomedical and/or psychological research and research on educational processes, but in fact, all these forms of research are being subjected to the same kinds of review, without any adequate assessment of the actual potential for risk or harm to research participants.

The Implications for Qualitative Researchers

There are several implications for qualitative researchers in this IRB quandary. First, qualitative research is likely to take far longer to get underway simply because the institutional review processes may be unable to sort out level of risk appropriately. Second, it is likely to be looked at askance because it is conducted in the context in which the researcher works, and is therefore believed to be an unwarranted risk to privacy or to freedom to consent without coercion or withdraw freely on the part of research participants. Third, qualitative research may not be assessed adequately with respect to the proposed criterion of direct benefits (Weijer, 2001) to participants. This may be especially so in the case of the professional practice of education, in school improvement, or in understanding learning processes from the perspective of learners (children in particular). It may be easier for IRBs to assess the direct benefits to research participants when the research is biomedical (palliatives for pain, improved mental functioning for Alzheimer's patients), but there is little evidence to suggest, given the current regulatory definition for research that IRBs are weighing any direct benefits, let alone those in which there is also concomitantly little risk.

Fourth, it may well be that IRBs are far too uninformed regarding newer models of research, particularly those which rely on phenomenological philosophy, or those viewed through the lenses of theoretical streams unknown or little understood by IRB members, e.g., feminist theory, race and ethnic theories, critical theories, or postcolonial perspectives. As a consequence, boards constituted with members uninformed about emerging theoretical and philosophical perspectives tend to fall back on definitions of research which ill-serve cutting edge research initiatives.

Qualitative researchers (of whatever theoretical perspective) clearly have "a horse in this race". The level of "protectionism"[2] surrounding research has clearly gone up, from what was weak to what is now moderate, and from what was moderate to what is now strong, particularly in the biomedical sciences. The new era of caution in human subjects research has clearly prompted more and more stringent oversight and review processes. Some of that oversight and review, however, may be unnecessary for many forms of research which demonstrate little, or minimal, risk to participants, and certainly not the risks associated with clinical trials and/or biomedical research.

Researchers interested in collecting and analyzing the lived experiences and meaning-making activities of participants in teaching and learning contexts are not posing life-threatening possibilities. They are, however, creating the possibility of direct and indirect benefits to participants. This suggests two strategies. First, qualitative researchers must themselves become involved in IRB activities, by agreeing to serve when asked, and by participating in review processes which help to educate other Board members who may be less than well-informed about new theoretical formulations of research and inquiry. Second, where possible or necessary, individual researchers must seek to speak with IRB members, defend the research which they or their students are undertaking, and seek to educate IRBs more broadly concerning issues of level of risk and potential direct benefit.

Without a significant turnaround in IRB understandings, qualitative, case study, phenomenological and interpretive research is unlikely to receive a fair hearing in institutions of higher education, whether in the oversight of research projects conducted by faculty, the dissertation research of doctoral students, or the preparation of a new generation of researchers via teaching professional skills.

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[1] Pritchard (in press) makes this point also, although he does so in the context of teacher research on their own professional practice. The point can be made, however—and we are making it—that the criterion of generalizability in fact impedes a wide variety of other forms of research outside of the classroom. Utilizing this criterion as a guideline for IRB approval of a study eliminates many qualitative inquiries, all constructivist and phenomenological studies, and virtually all action research, participatory action research, cooperative inquiries, and many, many others for which generalizability is neither sought, nor needed, nor desired.

[2] Protectionism is, according to Moreno (2001) a "philosophical position in the ethics of human subjects research" which includes "moderate, strong and weak versions, framed in terms of how much discretion investigators should be allowed concerning the management of human subjects" (p. I-3)

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